

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON L. HUTCHINSON,

Defendant.

8:23CR196

**PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court upon the government's Motion for Preliminary Order of Forfeiture (Filing No. 36). The Court has carefully reviewed the record in this case and finds as follows:

1. On August 15, 2024, defendant Brandon L. Hutchinson ("Hutchinson") pleaded guilty to Counts I and II of the Indictment (Filing No. 1) and admitted the Forfeiture Allegation. Count I charged Hutchinson with possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine and a mixture or substance containing a detectable amount of fentanyl; in violation of 21 United States Code section 841(a)(1) and (b)(1). Count II of the Indictment charged him with possession of a firearm in furtherance of a drug-trafficking crime; in violation of 18 United States Code section 924(c)(1)(A).

2. The Forfeiture Allegation sought forfeiture, pursuant to 21 U.S.C. § 853, of \$2,033.37 in United States currency, seized from Hutchinson on or about July 16, 2023, as property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

3. Based on Hutchinson's guilty plea and admission, Hutchinson forfeits his interest in the \$2,033.37 in United States currency, and the government is entitled to possession of any interest Hutchinson has in the \$2,033.37 in United States currency, pursuant to 21 U.S.C. § 853.

4. The government's Motion for Preliminary Order of Forfeiture is granted.

IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 36) is granted.
2. Based upon the Forfeiture Allegation of the Indictment (Filing No. 1) and Hutchinson's guilty plea and admission, the government is hereby authorized to seize the \$2,033.37 in United States currency.
3. Hutchinson's interest in the \$2,033.37 in United States currency, is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The \$2,033.37 in United States currency is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the \$2,033.37 in United States currency in such manner as the Attorney General may direct, and notice that any person, other than Hutchinson, having or claiming a legal interest in the \$2,033.37 in United States currency, must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$2,033.37 in United States currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$2,033.37 in United States currency,

and any additional facts supporting the Petitioner's claim and the relief sought.

7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the \$2,033.37 in United States currency, as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 19th day of September 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge